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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PLAINTIFF(S)

Kelly J. Ofoma

v.

DEFENDANT(S)

The Department of Defense

Mr. Robert M. Gates- Secretary of Defense

Adm. Michael G. Mullen-Chairman of the Joint Chief of Staff

1400 Defense Pentagon

Washington DC 20310-1400

Case No: 08C 0411

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) Judge: Joan H. Lefkow
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FILED

MAR 10 2008

Mar 10, 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

NOTICE OF

PLAINTIFF APPEAL BRIEF

Plaintiff Appeal Brief as follows:

Now come Kelly J. Ofoma, Pro See Plaintiff moves to file a brief on a case pending before you.

On February 15, 2008 I filed a complaint against the Department Of Defense along with a plaintiff's application in forma pauperis #4 and a motion for appointment of counsel #5 which were denied by the honorable Joan H. Lefkow. My complaint was denied based on the following facts,

1. The judge stated that the case was dismissed for a lack of jurisdiction in the Federal court, which I believe the honorable Judge Joan H. Lefkow got it wrong because this is a Federal case. I am suing the Federal Government even though I made a reference to my divorce case in my complaint this is not about divorce but about the manner in which the recruiter fraudulently lured my daughter, her mother and her step-father to enlist my daughter in the army without my consent.
2. I was also denied plaintiff's application to proceed in forma pauperis #4 and a motion for appointment of counsel.
3. In making my complaint I cited the wrong amendment that had been violated in my case. I cited the fourth amendment which was an error on my

part. I am not sure which amendment it is, but I do know my rights given to me in my divorce decree have been violated.

My complaint is not just against my ex-wife along ,but also against the Federal Government, because the Federal Government is the one who told my ex-wife that the Federal law overrides the state law when it comes to a divorce decree, and also told her that she and her current husband has the right to sign the consent form giving my daughter permission to enlist in the US Army Reserve Illinois, because of this in June 2005 my daughter who was a minor (17 years of age) at the time ,was enlisted in the US Army Reserve In Illinois, without my consent, which is illegal because my ex-wife and I have joint custody of our children and it was granted to me in the divorce decree that no major decision regarding the children can be made without the others permission. I did not give my permission for my daughter to be enlisted in the Reserve. This is definitely a major decision concerning my daughter, and was made without consulting me and without my consent.

I am asking the honorable court to please reinstate my case which I will amend if necessary and please re-instate my application to proceed in forma pauperis #4 and re-instate my motion to appoint council.

My daughters division is scheduled for deployment. I plead to the court to place an injunction to stop the deployment of my daughter until the court have had time to properly hear this case.

Kelly J. Ofoma
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Chicago, IL 60643
Phone: 773-715-6709

A handwritten signature in black ink, appearing to be 'KJ Ofoma', written over the printed name and address.